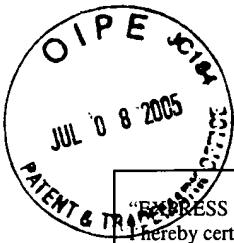


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Certificate of Mailing By "U.S. Express Mail" Under 37 C.F.R. 1.10(c)		
"EXPRESS MAIL" Mailing Label Number: <u>EV 643036879 US</u> Date of Deposit: <u>7/10/05</u>		
I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Commissioner For Patents, Alexandria, VA 22313-1450.		
Name: <u>Chris Vo</u> <u>7/8/05</u>	Signature	<u>Charles</u> Signature
Signature	Date	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gunn III, et al
 Serial No.: 10/734,374
 Filed: 12/12/2003
 For: Polarization Splitting Grating Couplers

Attorney Docket No. LUX-P018
 Examiner: Petkovsek, Daniel
 Art Unit: 2874

Commissioner of Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

/

AMENDMENT TRANSMITTAL LETTER

Dear Sir:

1. **TRANSMITTED DOCUMENTS:** the following documents relating to the above-identified patent application are being transmitted herewith.

- a. An Amendment for this application: 25 pages.
- b. Substituted Formal Drawings: _____ sheets.
- c. A Petition For Extension of Time For Response under 37 CFR 1.136(a) incorporated herein.
- d. An Information Disclosure Statement under 37 CFR 1.97(b) 1.97(c)
- e. A stamped, self-addressed, return postcard.
- f. A Check (# _____) for \$ _____ to cover required fees of this correspondence.

2. **APPLICANT FILING STATUS:**

- a. Applicant is a Large Entity.
- b. Applicant is a Small Entity.

3. **EXTENSION OF TIME:**

- a. Applicant petitions for an extension of time under 37 C.F.R. 1.136 for the total number of months checked below (fees pursuant to 37 C.F.R. 1.17(a)-(d).

<u>Extension of Time</u>	<u>Large Entity Fee</u>	<u>Small Entity Fee</u>
i. One (1) month .	____ \$ 120.00	____ \$ 60.00
ii. Two (2) month .	____ \$ 450.00	____ \$ 225.00
iii. Three (3) month .	____ \$1,020.00	____ \$ 510.00
iv. Four (4) month .	____ \$ 1,590.00	____ \$ 795.00
v. Five (5) month .	____ \$ 2,160.00	____ \$ 1080.00

Extension Time Fee Total: .00.

- b. Applicant believes that no extension of time is required. However, this conditional petition is being made in case Applicant has inadvertently overlooked the need for a petition for extension of time, the Commissioner is hereby authorized to charge any necessary amount associated with this communication or credit any overpayment to Deposit Account No: **500482**.

4. FEE CALCULATION:

The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid	Present Extra Claims	Fee Rate	Total
a. Total Claims	37	- 75 =	0	x \$ 50.00 Large Entity x \$ 25.00 Small Entity	\$.00
b. Independent Claims	1	- 3=	0	x \$200.00 Large Entity x \$100.00 Small Entity	\$.00
c. Multiple Dependent Claims Added By This Amendment				x 360.00 Large Entity x 180.00 Small Entity	
d. Extension of Time Fee Total, if any, from above EXTENSION OF TIME section 3a.					\$.00
e. Additional Fees Required With This Correspondence i) 1.17 (p) Fee for Information Disclosure under 1.97(c)					\$.00
e. Total Fees					\$.00

5. PAYMENT OF FEES

The full fee due in connection with this communication is provided as follows:

- The Commissioner is hereby authorized to charge the fees associated with this communication or credit any overpayment to **Deposit Account No: 500482**. A duplicate copy of this authorization is enclosed.
- A Check # _____ for \$ _____ for the above specified Total Fee is enclosed. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge the necessary additional amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.
- Applicant does not believe that any payment of fee is needed in association with this communication. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge any necessary amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.

Please direct all correspondence concerning the above-identified application to the following address:

CUSTOMER NO: 22877

FERNANDEZ & ASSOCIATES, LLP
Patent Attorneys
P.O. BOX D
Menlo Park, CA 94025-6204
Phone: (650) 325-4999
Fax: (650) 325-1203

Respectfully submitted,

DENNIS S. FERNANDEZ
Registration No. 34,160

7/8/05

Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Gunn III, et al. Attorney Docket No.: LUX-P018
Serial No.: 10/734,374 Group Art Unit: 2874
Filed: 12/12/2003 Examiner: Petkovsek, Daniel J.
Title: Polarization Splitting Grating Couplers

RESPONSE TO OFFICE ACTION

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop Amendment

In response to the Official Action dated 06/15/2005, the examiner has stated that Claims 79-154 are subject to restriction or election requirement as follow:

Group I: Claims 79-115, drawn to an optical apparatus having a grating coupled to 1st and 2nd flared waveguides with a hyperbolically curved sidewall, classified in class 385, subclass 37.

Group II: Claims 116-154, drawn to an optical apparatus having a plurality of light scattering elements arranged in a plurality of curved rows, the light scattering elements having wavefront converting properties, classified in class 359, subclass 629.

In response to the Official Action dated June 15, 2005, Applicants hereby elect group I, namely, Claims 79-115. This election is made without traverse.

Please withdraw Claims 116-154 from further prosecution.